

Minnesota Forest Resources Council
Minutes
Ruttger's Bay Lake Lodge, Deerwood
September 19, 2012

Members Present: Bob Stine (Chair), Wayne Damerow (alternate for Forrest Boe), Wayne Brandt, Alan Ek, Dale Erickson, Shaun Hamilton, Greg Bernu, Gene Merriam, Darla Lenz, Bob Lintelmann, Bob Owens, Dave Parent, Shawn Perich, Kathleen Preece, Susan Solterman Audette, Mike Trutwin

Members Absent: Forrest Boe, Mary Richards

Staff Present: Dave Zumeta, Lindberg Ekola, Calder Hibbard, Leslie McInenly, Rob Slesak, Clarence Turner

Guests: Amber Ellering (DNR), Katie Fernholz (Dovetail Partners), Jake Frie (Crow Wing County), Tim Wegner (Boise Paper International Falls)

Chair's Remarks

Bob Stine opened the meeting with a round of introductions. He suggested potential meeting dates for 2013 and indicated that the dates would be emailed out for review by members. Final dates will be set at the November meeting.

Public Input/Communication to the Minnesota Forest Resources Council

None.

Approval of July 25, 2012 Meeting Minutes*

Dave Parent moved, and Mike Trutwin seconded, the July 25, 2012, meeting minutes. *The minutes were unanimously approved.*

Approval of September 19, 2012 Meeting Agenda*

Dave Parent moved to approve the September 19, 2012, meeting agenda. Shaun Hamilton seconded the motion. *The agenda was unanimously approved.*

Executive Director Remarks

Dave Zumeta noted that Mary Richards was unable to attend the meeting today due to a death in the family.

Committee Reports

Personnel and Finance

No report.

Site-Level

Calder provided a report on the economic assessment developed in light of potential guideline revisions. The site-level committee, followed by the Council, determined three potential guideline changes that required an examination of benefits: (1) the potential marginal foregone stumpage value associated with increases in riparian management zone (RMZ) width and residual basal area

(RBA), (2) the stumpage value associated with allowing RMZ area to count towards leave tree area and (3) forestland area and productivity impacted by increases in allowable infrastructure for small harvest sizes. Calder reviewed results of the report and distributed hard copies to Council members.

Landscape Planning/Coordination

Shaun Hamilton reported that the Landscape Committee met on September 6th, 2012, in St. Paul. Committee members heard presentations on forestry and water quality projects. Shaun asked Lindberg Ekola to share materials from the meeting. Lindberg reviewed the meeting summary and noted a continued emphasis on providing opportunities for regional projects, supporting the private forest management program and communicating policy priorities to the Council. He stated that written communication from the Southeast landscape committee regarding forest industry recommendations to the Commissioner will be shared later in the meeting. Lindberg also thanked the North Central landscape committee for hosting the Council's meeting this year. The committee has invested significant time planning the Council tour.

Forest Resources Information Management

Kathleen Preece reported that the IMC received an interesting presentation from Dr. Howard Hoganson, University of Minnesota Professor, on a new study which aims to update the state's 20-year-old Generic Environmental Impact Statement on timber harvesting.

Written Communications to the MFRC

Dave Zumeta reported on two written communications to the Council, a letter from the Southeast (SE) landscape committee and an email from Duane Lula, former Superior National Forest (SNF) Planner and current Northeast landscape planning committee member.

Lindberg reviewed the letter from the SE committee. The committee is requesting organization of a focus group to address industry needs in the Southeast region. Industry issues in the Southeast are unique and differ from those in other parts of the state.

Dave Parent asked whether the Council has a description of the forest industry in northern Minnesota versus that in the Southeast. Lindberg responded that he is working with the committees to gather that information; however, the information has not yet been compiled. Bob Owens noted that there are major differences between the regions, particularly related to the use of materials from the Southeast. He suggested there would be value in having the landscape committee identify the values of standing material in the different regions. Shaun asked whether there are trade groups or affiliations in the Southeast that could inform the discussion. Wayne Brandt responded that the Minnesota Timber Producers Association has a number of members representing the Southeast; it is a vastly different industry. The scale of the mills is very different but both regions experience some of the same underlying economic drivers.

Dave Zumeta distributed the second communication to the Council. Duane Lula was the head planner for SNF when the last SNF Plan was developed. He coauthored a chapter in a book, describing participation of the Council in the SNF planning effort, and shared the announcement with the Council.

Committee of the Whole: Proposed resolution about addressing invasive species concerns*

Kathleen Preece reviewed challenges regarding the management of invasives and noted that much of the funding is addressing invasive aquatic species. The Council voted last March to incorporate introductory language on invasive species in the voluntary forest management guidelines and charged the IMC to provide a follow-up recommendation on how best to address invasives species in the management of Minnesota's forests. The IMC subsequently invited a suite of experts to speak at committee meetings on the subjects of invasive species and existing frameworks to address invasive species.

Kathleen reported that, after significant consideration, the IMC is recommending that the Council: 1) retain the forest-related terrestrial invasive species language as approved by the MFRC at its March 21, 2012 meeting in the final revised general guidelines; 2) reinstate some of the language excised from the site-level committee guideline recommendation at the March 21 meeting (provided in a draft resolution) and placed in the general guidelines section; and 3) urge the Governor to charge the Commissioners of the Department of Natural Resources and the Department of Agriculture with commissioning and funding a study to address invasive species knowledge, information needs, and recommendations for coordination with the state, encouraging increased education and awareness of forest-based terrestrial invasive species, and invigorating the Minnesota Invasive Species Advisory Council to oversee the implementation of the study and educational efforts .

Kathleen moved to approve the IMC recommendations. Bob Owens seconded the motion.

Council members discussed the need for the first recommendation, which requests that previously approved invasive species language be retained in the guidelines. The Council decided to keep the language as documentation of support from the IMC review.

Shawn Perich asked whether a public input process is required for the inclusion of invasive species language. Dave Parent responded that the review process applies to specific guidelines, not the "General Recommendations" section under which the new language falls.

Wayne noted significant concern with the recommendation to reinstate excised language under "Pre-harvest Planning" within the general guidelines section. This will be interpreted as a guideline and is likely to put considerable burden on loggers and landowners and will not likely influence the spread of invasives because other vectors aren't addressed. Darla Lenz stated that landowners, under existing law, are currently required to do much of what is recommended and asked how this language would have a different impact. Wayne responded that the language could result in a vast expansion beyond just noxious weeds. Greg Bernu commented that there are only two plants listed under state law as requiring eradication; for other species, it is incumbent on the landowner to make sure the invasive species doesn't spread. He noted that a local weed inspector recently shut down a logging project in St. Louis County due to invasive species concerns. Wayne stated that the industry can't survive if all wood must be cut between December 15th and March 10th. Greg added that frozen ground doesn't ensure that propagation will be stopped (e.g., tansy seed is viable for ten years). In discussing this issue with other weed inspectors, he has found that the primarily agricultural Noxious Weed Law has been difficult to apply to the entire state.

Wayne Brandt moved to strike the second recommendation from the resolution. Alan Ek seconded the motion.

Susan Solterman Audette stated that she had similar concerns to those expressed by Wayne. There appears to be a great deal of disregard, or lack of resources, at the DNR to deal with recreational vehicles that are causing the spread of invasives species. It is unfair to put the onus on the logger to address a problem that existed before they arrived and will be there after they leave. Susan felt strongly that there needs to be some recommendation for a mechanism to address the recreational vehicles that amplify the problem.

Darla commented that the excised language includes statements such as “consider” and “keep in mind” that are intended to allow some landowner flexibility but identify best management practices “when you can” and “to consider when appropriate”. There was certainly no suggestion from any of the IMC presentations that invasive species are an issue we should not try to control. Dave Parent questioned whether the effort to contain or slow the spread is worth killing the forest industry if stopping the spread of invasive species is not possible.

Gene Merriam urged caution, noting that while invasive species are a serious problem and everyone feels the need to address them in some manner, the way in which to address the issue is not clear. With respect to softening the language around invasive species in the guidelines, Gene suggested that we should mean what we say and say what we mean. The guidelines, while not rules, are rule-like on any certified lands. On certified forests, the language is every bit as effective as administrative rules.

Kathleen Preece asked whether we can afford to not do something and asked members to revisit the recommendation that suggested a continued effort to address other vectors under direction of the Commissioners of Agriculture and Natural Resources. Shaun stated that the third recommendation (i.e. urging action on the part of the Commissioners) holds the greatest promise and asked whether the problem with the recommendations was a matter of sequencing (i.e. study and recommendations should come before reinstating the excised language). Wayne agreed that the third recommendation made a lot of sense and reiterated his suggestion to strike the second recommendation until the latter is addressed.

Alan Ek commented that the likelihood of stopping the spread of invasive species is likely zero and suggested that the discussion is more a matter of timeframe in which the species will become a part of the system. Darla responded that, from the National Forest perspective, the agency has decided that it is worthwhile to do something across the National Forests. The goal is to identify and address the highest priority species (e.g., those most likely to have greatest impact).

Bob Stine called the question regarding the proposed amendment to the resolution. A yes vote would remove the recommendation to reinstate excised language. *The amendment passed (11 for, 3 against).*

Greg Bernu offered a second amendment to the final recommendation, suggesting that the Departments of Transportation and Commerce should be included in the leadership for the comprehensive study. The suggestion was accepted as a friendly amendment. Dale Erickson suggested that the title “Pre-harvest Planning Guidelines” be switched to “Pre-harvest Planning Considerations”. The suggestion was accepted as a friendly amendment.

Bob Stine called for a vote on the amended resolution. *The motion to approve the amended resolution carried unanimously.*

Proposed resolution to approve final forest management guidelines*

Rob Slesak reviewed the guideline review process, from scoping to the peer review and economic analysis. He noted that all keystone revision items identified by law have been completed. Rob proceeded to review outcomes of the public and peer review process, including suggested changes to the guidelines revisions.

The main issues with the proposed revisions, as identified from the review process, included: non-intuitive recommendations on infrastructure (the Site-level Committee recommends no change); economic considerations with respect to leave tree guidelines (the Site-level Committee recommends additional clarifying language); counting riparian management zones as leave tree areas (the Site-level Committee recommends no change; this piece was essential to approval of the “riparian package”); and using the MFRC recommendations, versus Riparian Science Technical Committee suggestions, regarding residual basal area (the Site-level Committee recommends no change).

On a separate matter, Rob reported that he was contacted by the Minnesota Pollution Control Agency (PCA) regarding existing language in the guidelines related to spills. Staff from PCA had been engaged in discussions with Mike Phillips, former MFRC Site-level Program Coordinator, in 2006 regarding clarification of the language. The existing language in the guidelines does not accurately reflect the associated statute. The Site-level Committee reviewed the suggested language and had no issues with the clarification. Dave Zumeta suggested that the language include a reference to the statute. Rob commented that a reference to the PCA reference document could also be included.

Bob Stine reviewed the final language to be incorporated into the guidelines if approved by the Council. New language related to the infrastructure guideline was modified to read:

“When feasible and prudent, utilize strategies to limit the amount of landing area such as the use of roadside decking and loading and backing load trucks into a landing.”

Wayne Brandt moved to remove suggested additional language within the definition of a landing. Greg Bernu seconded the motion. *The Council voted unanimously to remove suggested language related to the landing definition.*

The Council discussed suggested additional language related to the economic value of leave trees. Greg Bernu made a motion to strike the additional language, retaining only the original text related

to consideration of leave tree economic value. Wayne Brandt seconded the motion. *The Council voted unanimously to strike additional language suggested during the review period.*

During discussion of the 60 ft² residual basal area (RBA) for RMZs, Wayne Damerow and Susan Solterman Audette noted that DNR and Minnesota Audubon both preferred the 75 ft² RBA as recommended by the RSTC. Susan also asked for clarification on why seasonal ponds were not included as a water body category for RMZs. Rob responded that there is a large body of research indicating that riparian area harvest impacts on seasonal ponds are relatively short lived.

Dave Parent moved to approve the new MFRC guideline language with approved modifications to address reviewer comments. Dale Erickson seconded the motion. *The Council unanimously approved the revised language.*

Council members then discussed options for the publication of the guidelines, as well as the concept of a field guide. Rob commented that the guidebook is fairly cumbersome and there have been a number of requests for a simplification of the guidelines. In particular, the development of a field guide relative to timber harvest guidelines (i.e., not all guidelines) has been suggested. Rob noted that MFRC funding for the next biennium is uncertain. In addition, his request to the LCCMR to support an interactive web application for the guidelines was rejected. However, there is an urgent need to publish the revised guidelines and some funds are available from the FY13 budget, but use would require publication by June 30, 2013. Dave Zumeta added that it cost about \$50,000 to print the gold version of the guidebook in 2005. Seven years later, the utility of reprinting the guidelines in the same format is questionable and there is a clear need for something smaller and more digestible.

Greg Bernu commented that St. Louis County has already developed a series of cab cards with highlighted guidelines and suggested that the Council review what has already been developed. He noted that the cards met the certification requirements. Shawn Perich suggested that a project of the scale of the guidelines likely can't be completed before the end of the fiscal year. He advised Rob to put some serious thought into the bid specifications for a contract. Kathleen agreed that the materials developed for St. Louis County should be reviewed. Greg clarified that the intent would not be to replace the gold book, but to make the information more accessible. Dave Parent suggested that some photographic examples would enhance the value for private landowners.

Dave Parent made a motion that the Council approve the concept of pursuing development of a pocket guideline book to provide readily acceptable information on important guidelines. Wayne suggested that some scoping regarding the options would be valuable before the Council decides to move the idea forward.

Bob Owens asked whether there are any policies that would restrict advertising or sponsors for a guidebook. Gene Merriam responded that there may be some regulations but noted that the hunting regulations guidebooks have advertising.

Shaun Hamilton asked whether the guidelines will be available in an electronic format. Rob responded that his intent is to have the guidelines in an electronic format but the details have yet to be determined. Dale Erickson stated that the priority should be to get some sort of pocketbook

guide available for distribution through every DNR office. The full set of guidelines should then be made available to administrators and resource managers.

Shawn asked whether the full guidelines book would need to be revised or whether just certain pages would require revisions. If only certain pages are to be replaced, he suggested it could likely be completed for the \$20,000 that may be available. Dave Zumeta responded that Mike Phillips looked into the replacement option when the guidelines were revised in 2005, and found that nearly 50% of the pages would need to be reprinted. Shawn suggested considerable savings could be achieved if the three-ring binder does not need to be replaced.

Wayne Brandt suggested that the Personnel and Finance Committee work with staff to identify options. Bob Stine agreed.

Proposed Resolution in response to request from DNR Commissioner Landwehr for recommendations on maintaining and growing the forest products industry*

Dave Zumeta walked Council members through the most recent iteration of the recommendations developed to maintain and grow the forest products industry.

Some Council members questioned the amount of recommendations forwarded by DNR staff to be included in the MFRC recommendation back to the DNR Commissioner. Dave Zumeta responded that he requested input from all Council members and noted that the DNR is represented on the Council and has the same right to provide input as any other member. He acknowledged that the situation was somewhat unique in that the Commissioner came to the Council with a specific request for recommendations on how the DNR can help industry.

Wayne suggested that the Council should be given the opportunity to review the recommendations over the next few days. He also noted that he did not support prioritization of recommendations.

Council members discussed the timeframe of the recommendations and the fact that the situation has changed a bit since the request came from the Commissioner (i.e. Verso plant fire and closure).

Mike Trutwin agreed that recommendations should not be prioritized but rather should be considered as short-term and long-term opportunities.

Shaun asked whether a regional context should be considered, given the different mill markets in the different regions. Wayne agreed, noting that the issues in Southeast Minnesota are vastly different than those in Northern Minnesota.

Bob Owens suggested that the ability to attract replacement companies in places where mills have closed must be a priority.

Bob Stine went through the list of recommendations with the Council. Members discussed and revised the listed recommendations. Mike Trutwin made a motion to approve the letter to the Commissioner. Dave Parent seconded the motion. *The motion to approve the letter was carried (14 for, 1 opposed).*

Cook County and Ely bioenergy project presentation

Bob Stine introduced Katie Fernholz, Executive Director of Dovetail Partners. Katie provided an overview of work conducted to evaluate tradeoffs and opportunities for the use of woody biomass in small-scale community bioenergy projects. She distributed a handout that identified top contenders for projects in Ely and in Cook County. The bottom line is that each community is now looking at multiple options; some are mutually exclusive and others are additive. The next step will be to conduct feasibility studies. Cook County has had extensive discussions about the options. In Ely, the top contenders for projects are private organizations. The main take away from the assessment is that the projects are all very small, which is good news with respect to the question of biomass availability. However, the only way this supply can come about is as a byproduct of traditional timber harvesting. There is not enough demand for someone to go into the biomass harvesting business. Therefore, there is a need to understand the dependence of such projects on the current logging infrastructure.

Dave Zumeta noted that it was interesting to hear about the scale of the projects; that they are smaller scale, local, and locally-driven projects. The direction of these smaller bioenergy projects could have some interesting policy implications. Katie agreed and commented that the conversation has evolved rapidly given the prices of fossil fuel. The idea of large electrical production via biomass is a much more difficult thing to pursue because of the impact of natural gas prices. The absence of natural gas in Ely is one of the reasons biomass is a viable option.

Message from North Central Landscape Committee

Lindberg Ekola introduced Jake Frie, Crow Wing County forester and North Central Committee Chair. Jake welcomed the Council to the North Central landscape and provided an overview of the evening presentation and Council tour to be held on Thursday.

Public communications to the MFRC

None.

MFRC Member Comments

Mike Trutwin noted the changes that have occurred in the forest products industry over the last 90 days and requested Council attention to options that may be available for the Sartell Verso plant. The community is definitely interested in getting those jobs back.

Bob Stine thanked the Site-level Committee for all of their work on the most recent round of revisions.

Dave Parent moved, and Mike Trutwin seconded, adjournment of the meeting. *The meeting was adjourned at 4:00 pm.*